

REMARKS

Claims 1, 4-22, and 24-36 are pending in the application, with claims 1, 22, 25, 26, 27, and 32 being the independent claims. Based on the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Interview

1. Applicant thanks Examiner Vo and SPE Dastouri for the interview with Dr. Lipton and Applicant's representative on May 18, 2006 to discuss claim 1 and the Grech-Cini reference.

Rejection Based on Non-Statutory Subject Matter

2. Applicant thanks the Examiner for rescinding the non-statutory subject matter rejection, as discussed in the Office Action on page 2 in section 1.

Anticipation Rejection Based on Grech-Cini

3. On page 5 in section 3, the Office Action rejected claims 1, 3-11, and 13-29 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0024446 to Grech-Cini (hereinafter Grech-Cini). The Office Action explained that the rejection in the previous Office Action is maintained and, on pages 2-4 in section 1, provided reasons for maintaining the rejection. Applicant respectfully traverses the rejection.

Claim 1, as amended, recites: a computer-readable medium comprising software for a video surveillance system, comprising code segments for operating the video surveillance system

based on video primitives, wherein the code segments for operating the video surveillance system comprise: code segments for **identifying one or more event discriminators**; code segments for extracting video primitives; and code segments for **extracting event occurrences from the video primitives using at least one of the one or more event discriminators**. Grech-Cini fails to teach the claimed invention for at least two reasons.

First, Grech-Cini fails to teach **identifying one or more event discriminators**. See, e.g., specification, paragraphs [66], [80]. As an example discussed in the specification, an event discriminator for “loitering” may be identified as a “person” object in the “automatic teller machine” space for “longer than 15 minutes” and “between 10:00 p.m. and 6:00 a.m.” Specification, paragraph [66]. Grech-Cini fails to teach or fairly suggest anything like an event discriminator. Instead, Grech-Cini teaches a smoke detection system using an image-based (not video-based) algorithm to detect smoke. Grech-Cini, [0001]. The algorithm compares a current image of the scene with a reference image and determines which pixels have changed in the image. Grech-Cini, [0024]-[0025], [0069], [0087]. Based on the result of the comparison, the algorithm computes a large number of “image processing primitives.” Grech-Cini, [0090]-[0091]. The algorithm of Grech-Cini next applies *ad hoc* heuristics to the obtained low-level image processing primitives to obtain a score for each heuristic, which are summed and compared to an *ad hoc* threshold to determine if smoke is in the current image. Grech-Cini, [0136]-[0153]. Each heuristic generates a number of points in this *ad hoc* fashion, and if the total number of points exceeds the *ad hoc* threshold, the current image is determined to contain smoke. Grech-Cini, [0138], [0152]-[0153]. Finally, the algorithm of Grech-Cini uses a Bayesian (i.e., probabilistic) analysis based on a large training set to distinguish false alarms. Grech-Cini,

[0154]-[0166]. Hence, nowhere does Grech-Cini teach or fairly suggest identifying one or more event discriminators.

Second, Grech-Cini fails to teach **extracting event occurrences from the video primitives using at least one of the one or more event discriminators**. See, e.g., specification, paragraph [118]. As an example discussed in the specification, an event discriminator can be looking for a “wrong way” event as defined by a person traveling the “wrong way” into an area between 9:00 a.m. and 5:00 p.m. The exemplary event discriminator then checks all video primitives being generated and determines if any video primitives exist which have the following properties: a timestamp between 9:00 a.m. and 5:00 p.m., a classification of “person” or “group of people”, a position inside the area, and a “wrong” direction of motion. Specification, paragraph [118]. Grech-Cini not only fails to teach or fairly suggest anything like an event discriminator, as discussed above, but also fails to teach or fairly suggest using at least one event discriminator to extract event occurrences from video primitives. Instead, as discussed above, Grech-Cini teaches a smoke detection system using an image-based algorithm to detect smoke without using anything similar to an event discriminator to extract event occurrences from video primitives. Hence, nowhere does Grech-Cini teach or fairly suggest extracting event occurrences from the video primitives using at least one of the one or more event discriminators.

Therefore, based on the above arguments, Grech-Cini fails to teach claim 1.

Claims 4-11, 13-21, and 29 depend variously from claim 1, and are allowable as being dependent from an allowable claim.

Claim 22 recites similar features as claim 1 and is allowable for at least similar reasons as discussed above with respect to claim 1.

Claim 24 depends from claim 22, and is allowable as being dependent from an allowable claim.

Claim 25 recites similar features as claim 1 and is allowable for at least similar reasons as discussed above with respect to claim 1.

Claim 26 recites similar features as claim 1 and is allowable for at least similar reasons as discussed above with respect to claim 1.

Claim 27 recites similar features as claim 1 and is allowable for at least similar reasons as discussed above with respect to claim 1.

Claim 28 depends from claim 27, and is allowable as being dependent from an allowable claim.

Obviousness Rejection Based on Grech-Cini

4. On page 5 in section 5, the Office Action rejected claim 12 under 35 U.S.C. § 103(a) as being rendered obvious by Grech-Cini. Applicant respectfully traverses the rejection.

Claim 12 depends variously from claim 1 and is allowable as being dependent from an allowable claim.

Added Claims

5. Claims 30-36 are added.

Claims 30 and 31 depend from claim 1, and are allowable as being dependent from an allowable claim. Support for claim 30 can be found in the specification at, for example,

paragraphs [74], [94]. Support for claim 31 can be found in the specification at, for example, paragraphs [97]-[103].

Claim 32 recites similar features as claim 1 and is allowable for at least similar reasons as discussed above with respect to claim 1. Support for claim 32 can be found in the specification at, for example, original claim 1 and paragraph [49].

Claims 33-36 depend from claim 32, and are allowable as being dependent from an allowable claim. Support for claim 33 can be found in the specification at, for example, original claim 7. Support for claim 34 can be found in the specification at, for example, paragraph [106]. Support for claim 35 can be found in the specification at, for example, paragraph [97]. Support for claim 36 can be found in the specification at, for example, paragraphs [97]-[103].

6. In sum, with this amendment, 1 independent claim is added, and 6 total claims are added, although 2 total claims are cancelled. Hence, the fee of \$400 is being submitted herewith for 1 additional independent claim in excess of the paid-for 5 independent claims (\$200) and 4 additional claims in excess of the paid-for 28 total claims ($4 \times \$50 = \200). Please charge or credit Deposit Account Number 22-0261 accordingly and notify the undersigned.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that all presently outstanding rejections be reconsidered and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

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